



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

CRS

Docket No: 3381-99

8 November 1999

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149 w/attachments  
(2) Case Summary  
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner, a former enlisted member of the United States Navy, filed enclosure (1) with this Board requesting, in effect, that his naval record be corrected to show a more favorable type of discharge than the general discharge issued on 16 October 1998. Additionally, he requests a change in the RE-4 reenlistment code.

2. The Board, consisting of Mr. Morgan, Mr. Hogue, and Ms. Taylor, reviewed Petitioner's allegations of error and injustice on 6 October 1999 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Enclosure (1) was filed in a timely manner.

c. Petitioner enlisted in the Navy on 22 January 1998 at age 22. At the time of enlistment he had completed 12 years of formal education. During this period of enlistment, he had no disciplinary actions.

d. On 11 September 1998 a psychiatric evaluation found that Petitioner had a personality disorder and was considered a danger to himself and others.

e. On 16 October 1998 Petitioner received his only enlisted performance in which he attained a mark of 2.0 in individual trait average. On the same date, he received a general discharge by reason of convenience of the government due to a diagnosed personality disorder. At the time Petitioner was assigned a reenlistment code of RE-4.

f. Character of service is based, in part, on the average of the individual trait averages on all enlisted performance evaluations. Taking the only evaluation into account, Petitioner's individual trait average was 2.0. That is the minimum average required for a fully honorable characterization of service.

#### CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants partial relief. In this regard, the Board concludes that his general discharge should be recharacterized to honorable based on the member's individual trait average.

Petitioner has also requested that his reenlistment code be changed. However, the Board notes that the RE-4 reenlistment code is authorized by regulatory guidance for individuals discharged due to diagnosed personality disorders, and the code is often assigned in such cases if the individual is deemed a threat to himself or others. The Board thus concludes that there is no error or injustice in his reenlistment code. Therefore, the Board concludes that Petitioner's request for a change in his reenlistment code be denied.

In view of the foregoing, the Board finds the existence of an injustice warranting the following corrective action.

#### RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that he was issued an honorable discharge by reason of convenience of the government due to a personality disorder on 16 October 1998 vice the general discharge actually issued on that date.

b. That no further relief be granted.

c. That a copy of this Report of Proceedings be filed in Petitioner's naval record.

d. That, upon request, the Veterans Administration be informed that Petitioner's application was received by the Board on 21 May 1999.

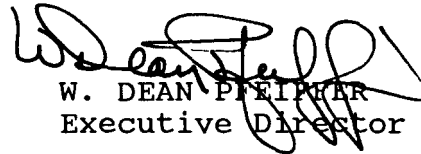
4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN  
Recorder



ALAN E. GOLDSMITH  
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.



W. DEAN PFEIFFER  
Executive Director